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DOCKET NO. : GLIS-0128



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Reissue Application of:

Chris Buhr, Mark Matteucci, Norbert W.
Bischofberger and Brian Froehler

U.S. Patent No.: 5,672,697

Issued: September 30, 1997

Serial No.: 652,978

Group Art Unit: 1623 *

Filing Date: February 8, 1991

Examiner: G. Kunz *

Reissue Serial No.: 09/408,396

Reissue Filing Date: September 29, 1999

For: NUCLEOSIDE 5'-METHYLENE PHOSPHONATES

Assistant Commissioner for Patents
Washington DC 20231

Sir:

COMBINED REISSUE APPLICATION DECLARATION AND POWER OF
ATTORNEY BY INVENTOR(S) OR ASSIGNEE¹

Declaration by Inventor(s):

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;
and

I verily believe that I am the original, first and sole inventor (if only one name is listed below), or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed in letters patent number **5,672,697** granted on **September 30, 1997** and in the foregoing specification and for which invention I solicit a reissue patent;

* Enter the Group Art Unit and Examiner from which the original patent was issued.

¹ This declaration must be accompanied by Consent of Assignee for Reissue and Assignee's Statement of Ownership Interest.

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PATENT

more

☒ less

than patentee had a right to claim.

The scope of the claims of the original patent

☒ are enlarged

☐ are not enlarged

by this reissue application.²

9-26. In particular, patentees erred in not claiming the chemical compounds set forth in claims

Note: Here, the Declarant must state at least one error in the original patent and describe it, e.g., "by reason of a defective specification or drawing" or "by reason of the patentee claiming more or less than he had the right to claim in the patent," particularly specifying the defects and distinctly specifying the excess or insufficiency in the claims. It is no longer required to specify details as to how the error arose or occurred. If any errors are corrected during reissue prosecution that were not specified herein, a Supplemental Reissue Declaration must be filed prior to allowance in compliance with 37 C.F.R. §1.175.

All errors being corrected in this reissue application up to the time of filing of this declaration under 35 CFR §1.175(a) arose without any deceptive intention on the part of the applicant.

OFFER TO SURRENDER ORIGINAL PATENT 37 C.F.R. §1.178

Applicant hereby offers to surrender the original patent, the reissue of which is sought herein.

POWER OF ATTORNEY

I hereby appoint the following persons as attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

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² 35 U.S.C. §251 forbids enlarging the scope of the original claims unless the reissue application is filed within two years of the grant of the original patent.

DOCKET NO. : GLIS-0128**PATENT**

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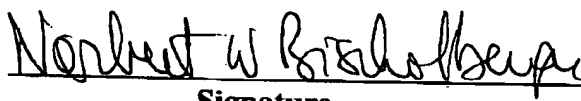
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

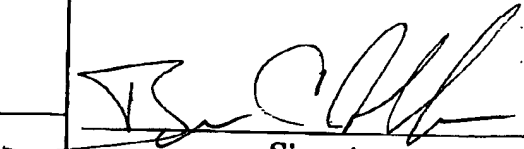
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PATENT

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Note: Even though inventor(s) do not sign, complete above information for inventor(s).

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Serial No.: 09/408,396

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Filed: September 29, 1999

Examiner: Not Yet Assigned

For: NUCLEOSIDE 5'-METHYLENE
PHOSPHONATES

Assistant Commissioner for Patents
Washington DC 20231

Sir:

ASSOCIATE POWER OF ATTORNEY

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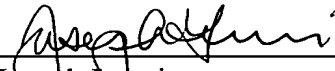
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his/her associates with full power to prosecute the above-identified application and to transact all business in the Patent Office connected therewith and requests that correspondence continue to be directed to the firm of WOODCOCK WASHBURN KURTZ MACKIEWICZ & NORRIS LLP at the above address.

Date: January 28, 2000



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